IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

UNITED STATES OF AMERICA	§	
	§	NO. 6:17CR10
v.	§	
	§	
ERIC RAY PORTLEY	§	

ELEMENTS OF THE OFFENSE

Count 1

Violation:	21 U.S.C. § 841(a)(1) (Possession with intent to distribute and distribution of cocaine base, also known as crack cocaine)
Penalty:	Imprisonment for not more than 20 years, a fine not to exceed $1,000,000, or both. A term of supervised release of at least 3 years in addition to such term of imprisonment.
Special Assessment:	$100.00

You are charged in Count 2 of the Indictment with possession with intent to distribute and distribution of cocaine base, also known as crack cocaine, in violation of 21 U.S.C. § 841(a)(1). The essential elements which must be proved to establish a violation of this offense are:

FIRST: That you knowingly possessed a controlled substance, namely crack cocaine;

SECOND: That the substance was in fact crack cocaine; and

THIRD: That you distributed the crack cocaine to another person.

Respectfully submitted,

BRIT FEATHERSTON
ACTING UNITED STATES ATTORNEY

/s/ Mary Ann Cozby
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CERTIFICATE OF SERVICE

On this the 16th day of May, 2017, I, Mary Ann Cozby, Assistant United States Attorney for the Eastern District of Texas, the attorney of record for the United States of America herein, do certify that a true and correct copy of the foregoing instrument was filed with the Clerk of the District Court using the CM/ECF system which sent notification of such filing to all counsel of record.

/s/ Mary Ann Cozby
MARY ANN COZBY